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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,789	04/05/2001	Masanori Suzuki	64753 CCD	4081

7590 07/19/2004  
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EXAMINER

NOTE: JANIS L

ART UNIT	PAPER NUMBER
1756	

DATE MAILED: 07/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

The amendment document filed on Apr. 29, 2004, is considered non-compliant because it fails to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction to the following items are required. **Only the corrected sections of the non-compliant amendment document must be resubmitted (in its entirety), in this case, the entire "Amendments to the claims" section of applicant's amendment document must be resubmitted.** 37 CFR 1.121(h).

In the "Amendment to the claims" section, the amendment to claim 13 is not in compliance with 37 CFR 1.121 because it tries to amend a claim that is not present in the specification. See the immediate prior version of claim 13 filed on Sep. 26, 2003, which already recites the phrase "with said additional toner" that the amendment filed in Sep, 26, 2003, is trying to insert.

37 CFR 1.121(c)(2) states that "[w]hen claim text with markings is required. All claims being currently amended shall . . . be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show

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deletion of five or fewer consecutive characters" (emphasis added).

Since the above-mentioned amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicants are given a TIME PERIOD of ONE (1) MONTH from the mailing date of this notice within which to re-submit the correct entire "Amendments to the claims" which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janis L. Dote whose telephone number is (571) 272-1382. The examiner can normally be reached Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Mark Huff, can be reached on (571) 272-1385. The central fax phone number is (703) 872-9306.

Any inquiry of papers not received regarding this communication or earlier communications should be directed to Supervisory Application Examiner Ms. Claudia Sullivan, whose telephone number is (571) 272-1052.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JLD

Jul. 15, 2004

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